

Appln. No. 09/771,542
Amendment dated December 27, 2004
Reply to Office Action of August 6, 2004

REMARKS/ARGUMENTS

Reconsideration of the present application, as amended, is respectfully requested.

The August 6, 2004 Office Action and the Examiner's comments have been carefully considered. In response, claims are amended and added, and remarks are set forth below in a sincere effort to place the present application in form for allowance. The amendments are supported by the application as originally filed. Therefore, no new matter is added.

Inasmuch as the present Amendment raises no new issues for consideration, and, in any event, places the present application in condition for allowance or in better condition for consideration on appeal, its entry under the provisions of 37 CFR 1.116 are respectfully requested.

PRIOR ART REJECTIONS

In the Office Action, claims 1, 2, 4 and 7 are rejected under 35 USC 102(b) as being anticipated by USP 5,974,005 (Kato). Claims 1, 3 and 4 are rejected under 35 USC 102(b) as being anticipated by USP 5,903,871 (Terui et al.). Claims 5-11 are rejected under 35 USC 103 as being unpatentable over Terui et al. in view of USP 6,516,135 (Higuchi et al.). Claim 2 is rejected under 35 USC 103 as being unpatentable over Terui et al. in view

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of Kato. Claim 3 is rejected under 35 USC 103 as being unpatentable over Kato in view of USP 6,009,433 (Kurano et al.). Claim 3 is rejected under 35 USC 103 as being unpatentable over Kato in view of Terui et al.

In response, the claims are amended to more clearly define the present claimed invention over the cited references.

More specifically, claim 1 is amended to more clearly define the data table wherein the data table is recited as storing a plurality of ID data for predetermined ID items. Claim 1 is also amended to recite ID data selecting means for selecting arbitrary ID data from the ID data of the predetermined ID items stored in the data table, and data file creating means for creating a data file by adding the ID data selected by the ID data storing means to the voice data converted by the conversion means as header information.

In rejecting claim 1 the Examiner has relied upon Kato and Terui et al.

With regard to Kato, the Examiner states that the data table shown in Figure 3 and explained at column 5, lines 29-38 of Kato teach the data table recited in claim 1. However, the data table of Kato is simply a UTOC area of a removable storage medium and does not store a plurality of ID data for predetermined ID data items as now recited in amended claim 1.

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Moreover, the ID data selecting means for selecting arbitrary ID data from the ID data of the predetermined ID items stored in the data table, and the data file creating means for creating a data file by adding the ID data selected by the ID data selecting means to the voice data converted by the conversion means as header information is not disclosed, taught or suggested in Kato.

With regard to the changing means, the Examiner argues in the last Office Action that the changing means is taught in column 6, lines 60-67 and column 4, line 54 of Kato. It is respectfully stated that Kato rewrites the UTOC of the media which appears to correspond to rewriting the header information of the voice file. Kato does not, however, disclose, teach or suggest changing the data table to store a plurality of ID data for predetermined ID data items to add the information to the header area of the voice file as recited in amended claim 1.

In view of the foregoing, claim 1 is patentable over Kato because Kato does not disclose, teach or suggest, inter alia:

a data table for storing a plurality of ID data for predetermined ID items;

ID data selecting means for selecting arbitrary ID data from the ID data of the predetermined ID items stored in the data table;

data file creating means for creating a data file by adding the ID data selected by the ID data selecting means to the

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voice data converted by the conversion means as header information; and/or

changing means for communicating with an external apparatus connected to the voice recording and reproducing apparatus and for changing the ID data stored in the data table based upon information sent from the external apparatus (see claim 1, lines 5-13 and 18-21).

In view of the foregoing, claim 1 is patentable over Kato under 35 USC 102 as well as 35 USC 103.

Claims 2 and 4 are either directly or indirectly dependent on claim 1 and are patentable over the cited reference in view of their dependence on claim 1 and because the reference does not disclose, teach or suggest each of limitations set forth in dependent claims 2 and 4.

With regard to the rejection of claim 7, Applicant respectfully states that claim 7 is not dependent on claim 1 and therefore it appears that the Examiner inadvertently included claim 7 in this rejection (claim 7 being ultimately dependent upon claim 5).

With regard to the Examiner's rejection of claims 1, 3 and 4 in view of Terui et al., claim 1 has also been amended to more clearly define the present invention over Terui et al.

With regard to the Examiner's statement that the data table recited in claim 1 is taught in Terui et al. in Fig. 3, column 5, lines 56-63 and column 10, lines 45-50, Applicant respectfully

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states that the data table of Terui et al. is the header information of the voice file similar to that disclosed in Kato. In contrast, the data table of the present claimed invention is a data table for storing a plurality of ID data for predetermined ID items. The present claimed invention also includes data file creating means for creating a data file by adding the ID data selected by the ID data selecting means to the voice data converted by the conversion means as header information. The foregoing limitations are not disclosed, taught or suggested in Terui et al.

With regard to the changing means, the Examiner relies on column 3, lines 44-47 of Terui et al. Applicant respectfully states that element 10 (see Figure 1) of Terui et al. is a recording medium and is not a voice recording and reproducing apparatus as recited in amended claim 1. Moreover, element 8 (see Fig. 1) of Terui et al. is a main control circuit and is not an external apparatus as recited in amended claim 1. As a result, the external apparatus of the present claimed invention is not disclosed in Terui et al.

That is, the present claimed invention as defined by claim 1 is patentable over Terui et al. because Terui et al. do not disclose, teach or suggest a voice recording and reproducing apparatus including:

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a data table for storing a plurality of ID data for predetermined ID items;

ID data selecting means for selecting arbitrary ID data from the ID data of the predetermined ID items stored in the data table;

data file creating means for creating a data file by adding the ID data selected by the ID data selecting means to the voice data converted by the conversion means as header information; and/or

changing means for communicating with an external apparatus connected to the voice recording and reproducing apparatus and for changing the ID data stored in the data table based upon information sent from the external apparatus (see claim 1, lines 5-13 and 18-21).

In view of the foregoing, claim 1 is patentable over Terui et al. under 35 USC 102 as well as 35 USC 103.

Claim 3 has been cancelled in this Amendment. Claim 4 is dependent on claim 1 and is patentable over the cited reference in view of its dependence on claim 1 and because the reference does not disclose, teach or suggest each of the limitations set forth in claim 4.

In view of the foregoing, claims 1 and 4 are patentable over Terui et al. under 35 USC 102 as well as 35 USC 103.

Independent claim 5 has been amended to more clearly define the present claimed invention over the combination of Terui et al. and Higuchi et al.

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In rejecting claim 5 the Examiner states that the connection number allocation means is disclosed at column 1, lines 27-32 and column 7, lines 58-63 of Terui et al. Column 1 of Terui et al. states that "a predetermined number is assigned to the dictator." In such a system, a number is preliminarily assigned to each dictator as an artificial rule. This is different from the connection number allocation means for, after connecting the external data recording and reproducing apparatus to the information processing apparatus, allocating a connection number to each of the connected external data recording and reproducing apparatus, as recited in amended claim 5. Kato also does not teach the connection number allocation means as recited in amended claim 5.

With regard to the storage means the Examiner relies upon Fig. 1, column 6, lines 44-46; column 5, line 54 - column 6, line 17 of Terui et al. Terui et al. do not clearly teach storing in the RAM. However, Terui et al. do disclose that ID codes are stored in the RAM. All of the ID codes of Terui et al. are not the connection numbers allocated by the connection number allocation means. Therefore, Terui et al. do not include the storage means as recited in amended claim 5. In the present claimed invention the storage means is one of the constituent elements of the information processing apparatus. If the system

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of the present invention is applied to Terui et al., the storage means as mentioned by the Examiner would be included in the data recording and reproducing apparatus side as taught in Terui et al. Therefore, Terui et al. do not disclose the storage means as recited in amended claim 5.

With regard to the display means the Examiner relies upon Fig. 7, column 8, lines 8-19 and column 9, lines 35-37. Terui et al. disclose a display unit which displays various kinds of information. The display unit is not, however, provided in the information processing apparatus side as in the present claimed invention, but is instead in the data recording and reproducing apparatus side which is in contrast to the present claimed invention.

With regard to the first selection means the Examiner relies upon column 9, lines 14-15 and column 11, lines 35-40. Terui et al. disclose checking ID's which have been used and selecting an ID which has not been used. This is creation rather than selection. In contrast to Terui et al., the first selection means of the present invention selects "at least one of a desired connection number and a desired identification code from at least one of the connection number and the identification code displayed by the display means." Such a limitation is not disclosed, taught or suggested in Terui et al.

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With regard to the second selection means the Examiner relies on column 3, lines 54-64. Terui et al. teach that the information stored in element 21 is not the information selected by the first selection means, but the information is stored when the product is shipped. This kind of information is written in the storage medium. Terui et al. do not disclose, teach or suggest the second selection means as recited in amended claim 5.

With regard to the control means the Examiner relies on Fig. 1 and column 3, lines 44-52 of Terui et al. Terui et al. disclose that the CPU controls the reading and writing operations of the recording medium 10. However, this is not based on the second selection means, as recited in amended claim 5.

In order to bridge the gap between claim 5 and Terui et al., the Examiner relies on Higuchi et al. However, Higuchi et al. do not bridge the gap between the present claimed invention as defined by amended claim 5 and Terui et al. as set forth above.

That is, the present claimed invention as defined by amended claim 5 is patentable over Terui et al. and Higuchi et al. because the references do not disclose, teach or suggest an information processing apparatus including:

connection number allocation means for, after connecting the external data recording and reproducing apparatuses to the information processing apparatus, allocating a connection number to each of the connected external data recording and reproducing apparatuses;

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identification code acquisition means for acquiring an identification code of the external data recording and reproducing apparatuses connected to the information processing apparatus;

storage means for storing each connection number allocated by the connection number allocation means and the identification code acquired by the identification code acquisition means;

display means for displaying at least one of the connection number and the identification code stored in the storage means;

first selection means for selecting at least one of a desired connection number and a desired identification code, from at least one of the connection number and the identification code displayed by the display means;

second selection means for selecting a desired external data recording and reproducing apparatus from the connected plurality of external data recording and reproducing apparatuses based on the selection by the first selection means; and

control means for carrying out controls so that at least one of a control program and control data of said external data recording and reproducing apparatus selected by the second selection means may be changed (see claim 5, lines 5-31).

Claims 6, 7 and 10 are either directly or indirectly dependent on claim 5 and are patentable over the cited references in view of their dependence on claim 5 and because the references do not disclose, teach or suggest each of the limitations set forth in amended claims 6, 7 and 10.

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Claim 8 is amended in a manner similar to claim 5 and is patentable over the cited references for reasons, inter alia, set forth above in connection with claim 5.

Claims 9 and 11 are dependent on claim 8 and are patentable over the cited references in view of their dependence on claim 8 and because the references do not disclose, teach or suggest each of the limitations set forth in claims 9 and 11.

Claim 2 has also been rejected as being obvious over Terui et al. in view of Kato.

As stated above, claim 2 is patentable in view of its dependence on claim 1. In addition, Applicant respectfully states that Terui et al. disclose a nonvolatile storage medium, but that the "data table" of the present claimed invention is not stored in a nonvolatile storage medium. Terui et al. do not disclose changing means which rewrites the ID data stored in the data table with ID data sent from the external apparatus as recited in amended claim 2. In rejecting claim 2 the Examiner relies on Kato as teaching the changing means. In the present invention, the header information of the voice file is not rewritten by the external apparatus. In other words, the data table is first rewritten. Then, arbitrary data is selected from the data table by the selection means and rewritten in the header

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information of the voice file. This kind of selection means is not disclosed, taught or suggested in Terui et al. or Kato.

In view of the foregoing, claim 2 is patentable over Terui et al. and Kato when taken either alone under 35 USC 102 or in combination under 35 USC 103.

In the Office Action claim 3 was rejected as being unpatentable over Kato in view of Kurano et al. and claim 3 was also rejected as being unpatentable over Kato in view of Terui et al.

As indicated above, claim 3 has been cancelled, thereby rendering the rejections of claim 3 moot.

In view of the foregoing, claims 1, 2 and 4-11 are patentable over the cited references under 35 USC 102 as well as 35 USC 103.

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NEW CLAIMS

New claims 12-24 are added to the present application. Claims 12-24 are patentable over the cited references for reasons, inter alia, set forth above in connection with claims 1, 2 and 4-11.

The highest number of claims for which payment was previously made is three (3) independent claims and twenty (20) total claims. The present application after entry of this

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Amendment includes nine (9) independent claims and twenty-three (23) total claims. Submitted herewith is a Credit Card Authorization Form in the amount of \$1,350.00 for the addition of six (6) independent claims and three (3) total claims. If any additional fees are due, or if any overpayment has been made, please charge or credit Deposit Account No. 06-1378 for such sum.

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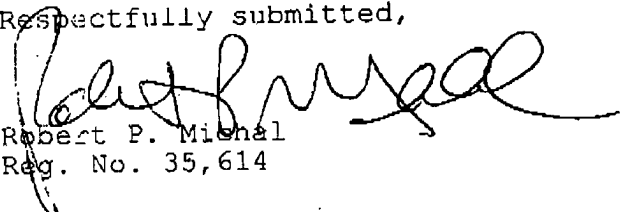
Entry of this Amendment under the provisions of 37 CFR 1.116, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner disagrees with any of the foregoing, the Examiner is respectfully requested to point out where there is support for a contrary view.

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If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,



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